

EXECUTIVE ORDER

2020-04

March 22, 2020

Fourth Supplemental Declaration of State of Municipal Emergency – Setting further limits of gathering to ten (10) or fewer people and regulating the sale of beer and wine by Class B liquor licensees in the Town of Tiverton

This Municipal Emergency Declaration Supplements Previous Tiverton Orders 2020-01, 2020-02 and 2020-03 as previously issued.

WHEREAS, on January 31, 2020, the United States Health and Human Services Secretary, Alex M. Azar, III, declared a public health emergency for the entire United States to aid the nation’s healthcare community in responding to COVID-19;

WHEREAS, on March 9, 2020, the Honorable Gina M. Raimondo, Governor of the State of Rhode Island and Providence Plantations, issued Executive Order 20-02 declaring a state of emergency due to the outbreak of COVID-19;

WHEREAS, on March 11, 2020, the World Health Organization declared the outbreak of COVID-19 to be a Pandemic;

WHEREAS, community transmission in the United States has occurred in many states and is an immediate public health threat to the elderly and those with underlying health conditions;

WHEREAS, cases of COVID-19 have been documented in the State of Rhode Island;

WHEREAS, the State of Rhode Island and various public health officials have reached out to the Town of Tiverton to take steps to contain the spread of COVID-19;

WHEREAS, the Town of Tiverton needs to take additional measures to limit the spread of COVID-19;

WHEREAS, Rhode Island General Laws §§ 30-15-12 and 30-15-13, as well as the Home Rule Charter of the Town of Tiverton Article IV, Section 405 authorizes the President of the Town Council “to declare a state of emergency which shall be ratified by the Council as soon as circumstances permit” to protect the public health, safety, and/or general welfare of the Town;

WHEREAS, Rhode Island General Laws §§30-15-12(b) and 30-15-9(e)(1) permit the chief executive officer to suspend the provisions of any statute, regulation, or requirement prescribing the procedures for the conduct of town business, or the orders, rules, regulations of any town, board, or agency, if strict compliance with the provisions of any statute, order, rule or regulation would in any way prevent, hinder or delay necessary action in coping with this emergency; and

WHEREAS, the Governor issued a Sixth Supplementary Emergency Declaration 20-08 dated March 20, 2020 entitled “Economic Support For Restaurants, Bars, and Establishment That Offer Food”

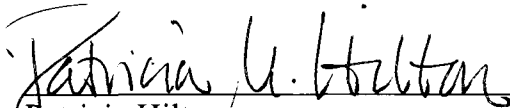
NOW, THEREFORE, I, Patricia Hilton, by virtue of the authority vested in me as the President of the Tiverton Town Council, pursuant to the Rhode Island General Laws and the Home Rule Charter of the Town of Tiverton do hereby order and direct the following:

1. The provision in R.I.G.L. § 3-7-7 requiring a Class B licensee to sell beer and wine only for consumption on the premises is suspended.
2. A Class B licensee in the Town of Tiverton will be permitted to sell up to 2 bottles of wine and 144 ounces of beer in original factory sealed containers, with take-out food orders, provided such sales shall be made in accordance with § 1.4.10 of the Department of Business Regulation Liquor Control Administration Regulations, 230-RICR-30-10-1.
3. Any restaurant, bar or establishment that offers beer or wine pursuant to this Executive Order must do so in accordance with the social distancing protocols and guidance set forth by the Rhode Island Department of Health.
4. In accordance with Centers for Control Guidelines, all gatherings of ten (10) people or more are prohibited in the Town of Tiverton. Gatherings subject to this Order include, but are not limited to, community, civic, public, leisure, or faith-based events, sporting events with spectators, concerts conventions, fundraisers, parades, fairs, festivals, and any other similar activity that brings together ten (10) or more people at the same time.

All provisions of prior Tiverton Orders 2020-01 and 2020-02 2020-03 not inconsistent with this Order shall remain in full force and effect.

This Order shall take on Sunday, March 23, 2020 and remain in full force and effect through March 30, 2020, and with the consent of the Town Council, it shall continue in effect and automatically renew for a period as authorized by that body.

So Ordered:


Patricia Hilton

Title: President, Town of Tiverton

Date: